

(Mount Clipping in Space Below)

# Garrison Presents Brief to Back Court Subpena

## Says U. S. Official Tries to Take Right

By BOB USSERY  
 Dist. Atty. Jim Garrison charged Tuesday that the United States attorney general has attempted to take from the courts a right to determine who will appear before grand juries.

Garrison, in an answer to a federal move to prevent FBI agent Regis Kennedy from testifying, also said the attorney general cannot assume what questions are going to be asked of a witness.

Kennedy was subpoenaed to testify last week, presumably in connection with Garrison's assassination investigation; but U.S. attorneys filed a motion to quash the subpoena.

Their contention was that Kennedy's testifying is precluded by a justice department executive order forbidding agents and employes from disclosing information about their work.

U.S. attorney Louis C. Lacombe said Atty. Gen. Ramsey Clark ordered Kennedy not to testify.

### BRIEF FILED

The state's answer, filed in a brief before Criminal District Court Judge Bernard J. Bagert, said:

"The U.S. attorney general has attempted by executive order . . . to remove from the judiciary its inherent right and power to determine the validity . . . of an asserted privilege."

Judge Bagert set a hearing on the matter for 10 a.m. Wednesday, the day the grand jury meets.

Kennedy's subpoena did not specify what matters he may be asked to discuss. In view of this, the state's answer said:

"There being no showing that the U.S. attorney general is clairvoyant and gifted with the power of prophecy, he is without justification or authority to predict the questions to be pronounced to agent Kennedy by Orleans Parish grand jury."

U.S. attorneys filed an amendment to their motion consisting of clippings from local newspapers, which they said alleged that Kennedy would be questioned about "the circumstances of the assassination of President John F. Kennedy."

In Washington, Louisiana Atty. Gen. Jack P. F. Gremillion said he has no knowledge about a tape recording of an alleged bribery attempt attributed to the district attorney's office by Burton Klein, an attorney for one of the probe principals.

Gremillion, attending a gas rate hearing, said no tape had arrived in his Baton Rouge office as of Saturday, the last time he was in touch with the office.

Klein, who represents Beaubouef, one-time roommate of the late David W. Ferrie, has accused a Garrison investigator of attempting to bribe his client to give false testimony.

## ACLU Declares Fair Trial Endangered

The American Civil Liberties Union of Louisiana here said Tuesday it believes the guilt or innocence of Clay Shaw is becoming a secondary consideration, and his right to a fair trial seriously endangered. It believes this "situation" should, and can, be corrected.

"When (District Attorney James C.) Garrison's numerous statements on the probe and pending litigation in February and March brought criticism and a judicial order prohibiting prosecution and defense from making ex parte statements, the DA, for a time, conducted his investigation with considerably less fanfare," it said in a news release.

"Recently, however, the volume of comment and response concerning the investigation and attendant prosecutions has been

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